

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA, *ex*  
*rel.* BNSF RAILWAY COMPANY,

Plaintiff/Relator,

vs.

THE CENTER FOR ASBESTOS  
RELATED DISEASE, INC.,

Defendant.

CV 19-40-M-DLC

ORDER

Plaintiff/Relator BNSF Railway Company (“BNSF”), by and through their attorney Chad M. Knight of Knight Nicastro MacKay, LLC, moves for the admission *pro hac vice* of Brendan M. Johns. (Doc. 30.) Mr. Knight represents that he intends to act as local counsel. (*Id.*)

BNSF’s motion will be denied, subject to renewal, for failure to comply with the District of Montana’s Local Rules. District of Montana Local Rules 83.1(d)(3)(A), (B), (C), and (D) require that a *pro hac vice* applicant’s affidavit states: his firm name and e-mail contact information; that he has paid or will pay the *pro hac vice* admission fee; that he has either completed the District of Montana’s online training for electronic filing or is proficient in electronic filing in another federal district court; and by what court(s) he is admitted to practice and *the dates of admission*. Mr. John’s affidavit (30-1) fails to comply with all these

requisites, at least. The Court suggests that Mr. John and local counsel review Rule 83.1 should they wish to renew the motion.

Accordingly, IT IS ORDERED that BNSF's motion (Doc. 30) is DENIED subject to renewal.

Dated this 13th day of May, 2021.



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Dana L. Christensen, District Judge  
United States District Court